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May 30, 2023

VIA ECF ONLY

Hon. Lawrence J. Vilardo
United States District Judge
Robert H. Jackson United States Courthouse
2 Niagara Square, 8th Floor West
Buffalo, New York 14202

Re: *Research America, Inc. v. Simpson, et al.*
Case No.: 23-cv-00320

Dear Judge Vilardo:

This law firm represents the Defendants Peter Simpson, Donna Simpson, and Segmedica, Inc. (collectively "Defendants") in connection with the above-referenced matter. Currently pending before the Court is Plaintiff Research America Inc.'s ("Plaintiff") application for a preliminary injunction, which is scheduled for oral argument on June 2, 2023, at 9:30 a.m.

The purpose of this letter is to request permission to file a limited sur-reply declaration to briefly clarify the distinction in Defendants' current activities and role as a project manager from the marketing research that Defendants previously engaged in, as raised in Plaintiff's reply.

Thank you for your time and attention to this matter. Please contact us should the Court have any questions.

Respectfully submitted,

DUKE HOLZMAN PHOTIADIS & GRESENS LLP

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cc via ECF: All counsel of record